

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SUN PHARMACEUTICALS INDUSTRIES LTD.,

Plaintiff,

vs.

Case No. 07-CV-15087
HON. GEORGE CARAM STEEH

ELI LILLY AND COMPANY,

Defendant.

_____/

FINAL JUDGMENT UNDER RULE 54(b) AS TO
'826 PATENT CLAIMS AND COUNTERCLAIMS ONLY

Pursuant to the court's order of even date granting defendant Eli Lilly's motion for entry of final judgment under Rule 54(b) on the claims and counterclaims involving Eli Lilly's U.S. Patent 5,464,826 ("826 Patent"), and the court's August 17, 2009 Order granting plaintiff Sun Pharmaceuticals summary judgment on its claim that the '826 Patent is invalid under the doctrine of obvious-type double patenting and dismissing Eli Lilly's counterclaim of infringement of the '826 Patent, final judgment hereby enters in favor of Sun Pharmaceuticals and against Eli Lilly on Sun Pharmaceuticals' claim that the '826 patent is invalid, there being no just reason for delay. Eli Lilly's counterclaim that Sun Pharmaceuticals is infringing the '826 Patent is likewise hereby dismissed, there being no just reason for delay.

Dated at Detroit , Michigan, October 29, 2009.

DAVID J. WEAVER
CLERK OF THE COURT

BY: s/Josephine Chaffee
DEPUTY COURT CLERK

CERTIFICATE OF SERVICE

Copies of this Judgment were served upon attorneys
of record on
October 29, 2009, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk